

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SILCOTEK CORPORATION,

Plaintiff,

v.

WATERS CORPORATION,

Defendant.

Civil Action No. 23-281 (MN)

JOINT STIPULATION OF DISMISSAL AS TO THE '986 PATENT

1. Defendant Waters Corporation (“Defendant”) and Plaintiff SilcoTek Corporation (“Plaintiff”) hereby stipulate and agree as follows:

2. On March 16, 2023, Plaintiff filed its Complaint against Defendant (D.I. 1), alleging infringement of U.S. Patent No. 11,131,020 (the “’020 Patent”) and U.S. Patent No. 10,881,986 (the “’986 Patent”).

3. On June 21, 2023, Defendant filed an Answer and Affirmative Defenses to Complaint (D. I. 12), wherein, inter alia, Defendant denied infringement of the asserted patents and asserted affirmative defenses, including non-infringement and invalidity.

4. On November 15, 2024, following briefing by the parties and a hearing held on June 12, 2024 (*see* D.I. 89), the Court issued a Claim Construction Order construing the disputed claim terms (D.I. 93).

5. On March 26, 2025, Plaintiff moved to dismiss its claims under the ’986 Patent without prejudice. The parties also stipulated and agreed to the entry of a final, appealable judgment that, in view of the Court’s Claim Construction Order, the Accused Products have not infringed and do not infringe any of the asserted claims of the ’020 Patent. That Stipulation and

Proposed Order (D.I. 95) is pending, and the Parties respectfully request the entry of it. As part of that stipulation, the parties further stipulated to the dismissal without prejudice of Defendants' defenses to the claims under the '020 Patent, which may be re-raised should the case proceed after appeal.

6. On June 24, 2025, following briefing by the parties and a hearing held on May 15, 2025, the Court denied Plaintiff's motion to dismiss its claims under the '986 Patent without prejudice. *See* D.I. 110.

7. Following the Court's ruling, and in light of discussions between the parties, Plaintiff has elected to voluntarily dismiss its claims under the '986 Patent with prejudice, and the parties now stipulate to such dismissal.

8. In exchange for Plaintiff's agreement to dismiss its claims under the '986 Patent with prejudice, Defendant agrees that it will not seek attorneys' fees in connection with Plaintiff's assertion of the '986 Patent in this case, and will not file the Rule 11 motion served on Defendant's counsel on January 14, 2025.

9. For the avoidance of doubt, Defendant retains all rights to seek attorneys' fees or file any motions, including under Rule 11, with respect to the '020 Patent.

10. Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff's claims under the '986 Patent are hereby dismissed with prejudice. Each party shall bear its own costs, expenses, and attorneys' fees with respect to the '986 Patent.

11. This stipulation may be made part of the appellate record by any Party.

Dated: August 6, 2025

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SO ORDERED this 11th day of August 2025.


The Honorable Maryellen Noreika
United States District Judge